

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

SUSAN CARLSON,

Plaintiff,

v.

Case No. 13-14747

Hon. Lawrence P. Zatkoff

DETROIT MARRIOTT/RENAISSANCE
CENTER,

Defendant.

ORDER DISMISSING PLAINTIFF'S STATE-LAW CLAIM

Plaintiff filed a complaint on November 15, 2013, alleging federal subject-matter jurisdiction on the basis of a federal question. Plaintiff's complaint alleges the following counts:

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| Count I | Violation of the Age Discrimination in Employment Act and the Michigan Civil Rights Act |
| Count II | Violation of the Americans with Disability Act and the Michigan Persons with Disability Civil Rights Act |
| Count III | Violation of the Michigan Workers' Compensation Disability Act |

Federal district courts have original subject-matter jurisdiction over cases arising under federal law. 28 U.S.C. § 1331. The Court has subject-matter jurisdiction over portions of Counts I and II because they arise under federal law. 28 U.S.C. § 1331. The remaining portions of Counts I and II, along with Count III, however, appear to be based on state law. Although the Court has supplemental jurisdiction over state-law claims pursuant to 28 U.S.C. § 1367(a), the Court may decline to exercise supplemental jurisdiction if there are "compelling reasons for declining jurisdiction." *Id.* § 1367(c)(4).

The Court finds that Plaintiff's state-law claims raise novel and complex issues of state law that would be more appropriately adjudicated by the state court. *See id.* § 1367(c)(1).

Additionally, the contemporaneous presentation of Plaintiff's parallel state claims for relief will result in undue confusion of the jury. *See* 28 U.S.C. § 1367(c)(4); *see also Padilla v. City of Saginaw*, 867 F. Supp. 1309, 1315 (E.D. Mich. 1994). As such, the Court declines to exercise supplemental jurisdiction over Plaintiff's state-law claims in this matter.

Accordingly, IT IS HEREBY ORDERED that the state-law claims contained in Counts I and II of Plaintiff's complaint are DISMISSED WITHOUT PREJUDICE. IT IS FURTHER ORDERED that Count III of Plaintiff's complaint is DISMISSED WITHOUT PREJUDICE. The Court retains jurisdiction over the remaining federal claims contained in Counts I and II of Plaintiff's complaint.

IT IS SO ORDERED.

Date: November 26, 2013

s/Lawrence P. Zatkoff
HON. LAWERENCE P. ZATKOFF
U.S. DISTRICT COURT JUDGE